

STATE OF SOUTH CAROLINA  
COUNTY OF Marion  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2021CP3300464

Albert Leonard  
PLAINTIFF(S)

Garden Alley Restaurant et al  
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

After careful and deliberate consideration of the law and rules, Judge Seals hereby denies Plaintiff's Motion to Reconsider. Judge Seals has carefully reviewed both the Weston Case and the Lincoln Case, which were cited at the hearing. Based on the case law, Plaintiff's Motion and the arguments presented at the hearing, the Court finds the statute of limitations was not tolled for eight months upon the Plaintiff's death and the case was properly dismissed.

Formal Order by Dominic Starr forthcoming.

ORDER INFORMATION

This order  ends  does not end the case.  See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 02/16/2024 .

Jane Doe  
John Doe Corporation  
Jane Doe Corporation  
Linda Schiavo  
Dayna Schiavo  
Garden Alley Lgs, Llc  
John Doe

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

RECEIVED  
FEB 28 2024  
SC Court of Appeals

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCF.

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**Marion Common Pleas**

**Case Caption:** Albert Leonard VS Garden Alley Restaurant , defendant, et al

**Case Number:** 2021CP3300464

**Type:** Order/Electronic Form 4

**IT IS SO ORDERED**

s/ The Honorable William H. Seals Jr. #2157

Electronically signed on 2024-02-16 12:19:43 page 3 of 3